Pacific School of Religion 1798 Scenic Ave. Berkeley, California.

# ocial Questions Bulletin

The Methodist Federation for Social Action, an unofficial membership organization, founded in 1907, seeks to deepen within the Church, the sense of social obligation and opportunity to study, from the Christian point of view, social problems and their solutions and to promote social action in the spirit of Jesus. The Federation stands for the complete abolition of war. The Federation rejects the method of the struggle for profit as the economic base for society and seeks to replace it with social-economic planning to develop a society without class or group discriminations and privileges. In seeking these objectives, the Federation does not commit its members to any specific program, but remains an inspirational and educational agency, proposing social changes by democratic decisions, not by violence.

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**APRIL**, 1957

OLBROOK LNumber 4

## "MURDER BY SLANDER

By LOYD F. WORLEY

ranadian opinion is aroused against a sub-Committee of Inited States Senate headed by Senator James O. Eastland sississippi for the tragic consequences of what is called a mr campaign. This sub-committee had accused the Canadian sassador to Egypt of having had communist connections. The sasador, Mr. E. Herbert Norman, depressed by the false nations, took his own life in Cairo, Egypt. The committee released testimony without giving Mr. Norman an opportunity swer the charges or confront his accusers. In Ottawa Prime atter Louis St. Laurent; Lester B. Pearson, Minister for Exl Affairs, and leaders of all parties in the Canadian Parliajoined in holding the sub-committee at least partly resible for Mr. Norman's suicide. Alistar Stewart, a Socialist ber of the Commons, called it "murder by slander."

The above facts recounted in the New York Times on April were even preceded by a statement from the State Departion in Washington disowning the Eastland sub-committee action stating that the United States "has every confidence in the Idian Government's judgment of its official representatives." the delicate situation in Egypt is made more difficult by proted charges by the Eastland Committee which oversteps international good will and the plain language of the First indiment to the Constitution in some of its alleged informateleased for public consumption and all too often regarded eing based on fact.

The attitude of Senator Eastland towards those who differ him has become known in his reference to the "brainned" Supreme Court and an equally slanderous remark conning the National Council of Churches. Each of these instituare so well established they could afford to ignore his re-

The Methodist Federation for Social Action, an unofficial wiship founded in 1907, has, however, refused to commit ide in the face of the unwarranted charges of the Eastland committee. The Federation is observing its 50th Anniversary Vashington, D. C., this summer and it invites anyone to look its record and compare it with the Eastland sub-committee out. The report is Document 117 of the 84th Session and is tled, "The Communist Party of the United States of America." page one of this "Eastland Handbook" we read that the Commist Party was founded in America in September, 1919. But statement is found on page 91, "With an eye to religious aps, the Communists have founded religious fronts such as Methodist Federation for Social Action." There is no attempt explain the discrepancy with the date of 1907 when the Fedion was organized as the outcome of a year and a half of ottation and study by five socially minded ministers: Elbert Zaring, Herbert Welch, Frank Mason North, Harry F. Ward Worth M. Tippy. The purpose and objective spelled out in 7 has continued for 50 years in these words: "To deepen within church, the sense of social obligation and opportunity to by, social problems from the Christian point of view."

Like Mr. Norman, the Federation was given no opportunity answer charges or confront accusers by the Eastland comtee. The Federation did take every opportunity to protest the charges and to "cry aloud" against the abuse of legislative

privilege. The Federation will continue to do so until charges are either retracted or established. If the Federation had had more support, the tragedy in Cairo which has damaged friendly relations with Canada might have been averted. The sub-committee headed by Senator Eastland might have exercised more restraint in respect to publishing damaging statements.

Although severely injured in its activity by Congressional committees sometimes supported by reactionary groups and individuals within The Methodist Church, the Federation still has a loyal core of support. Some of it comes from individuals who are genuinely conservative in their desire to support freedom of inquiry, freedom of speech and freedom of the pulpit. Some work formerly done by the Federation is now being better accomplished by an official "Board of Social and Economic Relations." But the Federation is still in the field to "raise questions for discussion and action" which are still too hot to handle by an official Board.

The name of Bishop Francis J. McConnell is always brought to mind in any discussion of the Federation because he was its honored leader for more years than anyone else. In his autobiography ("By the Way"—Abingdon-Cokesbury, 1952) he says, (p. 152 ff) that the Federation was "authorized by the General Conference in 1908 to call the attention of the church to the more important social issues without any intention of committing it to the opinions expressed by the Federation." And regarding a contemporary point at issue he said, "I myself do not know a Methodist who is a communist. The Federation is almost always under fire for one thing or another. Still we have to remember that the foes which it fights are those which today are the chief hindrances to making society Christian."

While the slanders of Congressional committees fortunately

While the slanders of Congressional committees fortunately have not had such immediate and tragic results as the one now agitating our Canadian neighbors, it should be evident that the hour is overdue when public opinion in America should call a halt to Eastland and his ilk. Even Congressional committees should be reminded that the burden of proof rests on the accuser. The public should be brought to the realization that "listing"

is a long sea mile from evidence.

## **MFSA Petitions Congress**

By LOYD F. WORLEY

Most members of the Federation are aware of two rather recent publications by committees of Congress which make false and erroneous statements. Among other guarantees of the First Amendment to the Constitution is the right to "petition the Government for a redress of grievances." At a meeting of the Executive Committee of the Federation held in Hartford, Connecticut, on April 3rd the decision was made to petition both the Senate and the House of Representatives concerning statements which have been detrimental to the Federation and which are not supported by evidence nor was any opportunity given for defense. As prepared by a competent lawyer friend of the Federation

As prepared by a competent lawyer friend of the Federation the petition reads substantially as follows: "The petitioner charges the House Committee on Un-American Activities with un-American and unlawful activities to the harm and injury of the petitioner as follows: 1. In a document described as 'Guide to Subversive Organizations and Publications' the said committee listed a large number of organizations, including petitioner, as 'Organizations Cited as Communist or Communist-Front by Federal Authorities.' On page 56 of said list appears the following statement: 'With an eye to religious groups, the Communists have formed religious fronts such as the Methodist Federation for Social Action.' (Internal Security Sub-Committee of the Senate Judiciary Committee, Handbook for Americans, S. Doc. 117, April 23, 1956, p. 91.)

The said statement is false. It constitutes an interference with freedom of religion guaranteed by the First Amendment to the Constitution of the United States. The petitioner is a religious organization devoted to promulgating the social gospel as contained in the New Testament. By falsely branding its activities as communist, the Committee, without truth or warrant, has caused loss of membership to petitioner and hampered or pre-

vented it from extending its work and membership.

2. The list published by the said Committee of the House constitutes an unlawful Bill of Attainder. Neither the House of Representatives nor any committee thereof has the right to issue such a list. A committee of Congress cannot do by indirection that which the Congress itself could not do by law.

3. In issuing such a list the said Committee of the House has unlawfully stepped out of its legislative role of conducting investigations for the purpose of proposing legislation and has engaged in a judicial function, without any pretense of due process.

4. The said committee of the House has exceeded the mandate given to it when created. Power to make a list of alleged subversive organizations was specifically requested by Repre-sentative Everett M. Dirksen and, after Representative Martin Dies, the original Chairman of the Committee, opposed such an unlawful grant of power, it was denied and has never, at any time since, been granted.

Wherefore, since it has sought redress in the Courts against such listing by Congressional Committees and, by a 2 to 1 decision of the United States Circuit Court of Appeals, referred

back to Congress for relief, your petitioners prays:

That a Special Committee of the House of Representatives be appointed, on which no past or present member of the said committee of the House shall serve, to investigate the above charges of your petitioner and to take such punitive or restrictive action as the circumstances may be shown to warrant.

Respectfully,

METHODIST FEDERATION FOR SOCIAL ACTION, By Loyd F. Worley, President, Gresham, Oregon.

It will be noted that there is considerable difference between this petition and a suit for damages. The Executive Committee voted to limit the expenditure connected with this matter to \$300.00 from the "Freedom Fund." The balance of the Fund in accordance with action taken at Chicago on February 21st will presumably be used for an appeal to churchmen and the public especially in the environment of Washington, D. C. The Executive committee was much heartened by the splendid response by mail from all over the country expressing their sentiments on the matter.

### NOTICE OF ANNUAL MEETING

The Annual Meeting of the Methodist Federation for Social Action will be held in Washington, D. C., where this unofficial fellowship was founded in 1907. The session will be held in Dodge Hotel, 20 E. Street, N. W., opening at 11:00 a. m. on July 17. The closing session will be held in a church with a Communion Service on July 19. Sight-seers should come in advance of the meeting because the Boy Scout Jamboree opens on July 19th and all accommodations are spoken for. Hotel rates are as follows: Three persons to the room—\$3.50 per person.

Twin beds-\$4.00 per person. Air-conditioned, single room-\$7.00 and \$8.00 per day. Twin beds-\$10 and \$12 per day. It is recommended that reservations should be made as far in advance as possible and if necessary to cancel to do so 48 hours in advance. Address the Dodge Hotel directly. The Dodge Hotel is on Capitol Plaza not far from the Union Station.

LOYD F. WORLEY.

DEAR SENATOR

On March 2nd I wrote Senator Prescott Bush of Conn ticut and called his attention to the "Eastland Report," Do ment No. 117, page 91. He replied on March 19th as follow "You are probably correct that it would have been more prohad the statement read, 'with an eye to religious groups Communists have infiltrated religious fronts such as the Me odist Federation for Social Action'. It would appear that word 'infiltrated' should have been used instead of 'forme For your information, I send you a chronological study of t activities of certain officers of the Methodist Federation Social Action (formerly the Methodist Federation for Social S vice) from September 1932 to December 1953. Sincerely you

Prescott Bush, U.S.S."

To which I replied immediately as follows: "The enclose does not name a single Methodist with proven Communist or nections. Therefore to say 'Communists have infiltrated' is s inaccurate and libelous if printed by anyone else. The Unit States Senate publications should set a better example. You not state nor does the mimeographed enclosure state the author for the chronological study. Nearly every point mentioned l been answered again and again. Nearly every idea expressed I been spoken or written by conservative and patriotic America at one time or another. And certainly there ought to be son thing like a 'statute of limitations' applying to judgments pressed by anyone during the depth of the depression or d ing the time when Russia was fighting our battle against t Nazis. Even during the campaign of 1940 it could be truthfu said that the Republican party was 'soft on communism' or least to communists opposed to F.D.R.
Respectfully yours,

LOYD F. WORLEY.

#### WRITE NOW TO STOP BOMB TESTS

MFSA has long asked cessation by international agreeme of further nuclear weapons tests. This measure would be se enforceable, since atmospheric changes resulting from the tests a

detected in other nations and areas.

Millions around the world demand the tests stop. This mor the British Atomic Scientists Association, Dr. Albert Schweitz and others, warn continuance of the tests may bring incalculal harm to humanity (through more bone and blood cancer, gene damage to the unborn, etc.). The British Labor Party asks government to postpone its planned H-bomb test, favors agree ment to end all tests. The British Council of Churches tal the same view and urges "prohibition of all weapons of madestruction . . . and drastic reduction of all other armament Eighteen leading nuclear physicists in West Germany refuse help make, test, or use nuclear weapons.

The UN Subcommittee on Disarmament now meets in Lo don. Disarmament and continued nuclear weapons testing a issues there. Write airmail today, in time to influence that me ing, sharing your views on these issues to: Hon. Harold Stasse Chairman U. S. Disarmament Delegation, c/o U. S. Embas London, England, and to President Eisenhower in Washington

### SENATOR MORSE HOPES TO ATTEND MFSA MEETING

In response to an invitation from an old friend, Rev. Edwa I. Peet, MFSA treasurer, Senator Wayne Morse replied:

You may be sure that nothing would please me more than to sp at one of the sessions of the Methodist Federation for Social Act if I can possibly work it into my schedule on the (July 17-19) de stated in your letter. I would appreciate it if you would write me so time in late June; at that time I will know more what my sched will be in mid July.

### WORLD DISARMAMENT CONFERENCE

The Japan Council against A and H-bombs has called World Conference against Atomic and Hydrogen Bombs a for Disarmament, Tokyo, August 6-16, 1957. MFSA is invito send a delegation, and readers are asked to send any signstions for the agenda of the conference to MFSA Natio Office, to be forwarded on to the Preparatory Committee Japan.

## Statement of the "Powell Sedition Case"

opted by the Board of Directors of the American Civil Liberties Union of Northern California.

Three persons are awaiting trial in the District Court in San acisco on charge of "sedition," based solely on their published orts and comments with regard to the Korean War. This ecution presents serious threat to fundamental liberties, pararly freedom of press and fair trial.

The defendants are charged with violating a statute enacted 917 shortly after entry of the U.S. into World War I. This rite expressed judgment that public opinion, as well as iers, should be conscripted to support the nation's war effort. was the first experiment (other than the short-lived Alien and tition Acts of 1798) in punishing, as federal crimes, publicas. Almost 2,000 persons were prosecuted under this law ing or immediately following the First World War. Most of m were socialists or pacifists and were prosecuted for pubconvictions against American participation in that war. Proor Chafee of Harvard, one of our country's foremost auities on freedom of speech, described this sedition act as "the illiest blow ever struck at a free press in the United States."

The American Civil Liberties Union has always regarded tion legislation in general, and this statute in particular, as 1 unwise and an invasion of the fundamental freedoms guareed by the First Amendment.

Principal defendant in the current prosecution is John W. vell of San Francisco. During the years 1950-1953, he was or of "China Monthly Review," English-language periodical lished in Shanghai.

The indictment charges that, during these years, he pubed in the magazine statements in the following categories:

That United States forces in Korea were engaged in aggressive acts; that they used the Korean fighting as an opportunity to test gas and bacteriological weapons; that United States forces had suffered certain numbers of casualties (presumably the prosecution will contend that the figures given were too high); and that the Korean truce talks were intentionally stalled and sabotaged by United States negotiators. It is alleged Powell knew these statements were false and published them to interfere with United States forces and to aid "enemies."

Statements criticizing the United States government and that of Chiang Kai-Shek, criticizing United States foreign policy, defending the communist governments of China and North Korea, and stating that the latter were merely defending their homeland. It is alleged these statements were made to cause insubordination and mutiny in the armed forces and to obstruct recruiting and enlistment.

forces and to obstruct recruiting and enlistment.

It is also charged that two associate editors of the "China nthly Review," Mrs. Powell and Julian Schuman, "conspired" h Powell for all these purposes. This does not charge any itional acts, nor that there was anything "conspiratorial" in popular sense.

The indictment is based solely on statements published in the gazine and on the fact that some copies of the magazine were ulated in the United States. The statements charged do not gest any action on the part of the reader. It is not charged e was any effort to interfere with United Nations military rations in Korea by any other means than attempting to innce general public opinion in the United States.

We cannot regard this prosecution as consistent with our stitutional guarantee of freedom of the press. If the sedition ute may be applied to the Powell statement, it may be lied to any statement which might have an adverse effect the morale of the general public in war-time. Any statement stioning the justice or necessity of a war, or criticizing war s, the conduct of a war, or the competency or good faith of ernment leaders in war-time, might have such an effect. tors cannot be expected to publish anything which differs in the official view, if they can do so only by risking 20 s imprisonment if a jury, swayed by the passion and intolere of war-time, should make adverse finding as to the editor's

Especially dangerous is the charge that, when Powell drew occeptable conclusions from published materials, he thereby aged in making "false reports" with intent to interfere American military forces and to aid the enemy.

There can be little freedom of press if an editor's interpretations of world events can be converted into "false reports," and thereby into a crime, by the fact a jury arrives at different conclusions.

It is very easy, though fallacious, for a jury to assume any statement which seems implausible to them must have seemed implausible to the defendant at the time it was made and, therefore, to conclude that it was not made in good faith. In previous prosecutions under this statute, juries have been permitted to infer that the defendant knew his statements were false because they were contrary to what most people believed, or because they were contrary to official pronouncement.

The position of the American Civil Liberties Union of Northern California on this case is entirely independent of any contention which may be made by the defense that the statements printed were true. We believe, however, for the reasons already suggested, that the essence of the "false statements" charge is that, in a situation where conflicting versions of events were circulating simultaneously, each version devoutly believed by its own partisans, Powell accepted and printed the one put out by the wrong side. Such a charge raises two far-reaching civil liberties

a) A question of principle-An act of belief (as to the truth of the U.S. version) and of disbelief (of the rival version) is required under severe criminal penalties.

b) A practical problem-the government is largely freed of responsibility to the people in war-time if it can place all editors, in effect, under legal compulsion to believe and print only the government's version as to what is taking place.

Since the Powell publications did not urge any acts, they could not produce direct, immediate harm such as from an incitement to draft evasion or other unlawful activity. Any harm could come only remotely, as result of effect on future public discussions, in which the government and its supporters would have plenty of opportunity to answer words with words, instead of with prosecutions. Whatever circulation "China Monthly Review" had in the U. S. was insignificant compared to the enormous volume of contrary material reaching the public simultaneously through newspapers, radio and other mass media. The danger involved is not sufficient to justify prosecution.

In addition to effect on freedom of the press, the indictment requires a jury to pass on issues which, in the nature of the case, cannot be fairly tried. Issues as to the underlying causes and unannounced aims of a war depend on evidence too complex to put before a jury and are not issues a jury is equipped to decide. The defendants' case cannot be presented without voluminous evidence from foreign countries beyond reach of the court's subpoena power. The defendants cannot rebut the government's case without access to secret military files which, we may assume, will not be permitted. The jury will inevitably feel that acquittal of the Powells would be interpreted as convicting the United States of aggression and germ warfare. This puts irresistible pressure on them to convict the Powells.

Issues which cannot be fairly tried ought not to be tried. This prosecution is not justified to discourage further interference with a war, since it was not commenced until long after the fighting ended. The statements published by the Powells were also printed by left-wing periodicals in this country, whose editors have not been prosecuted. The Powells themselves were not prosecuted until almost three years after return to this country, and not until prosecution had been publicly demanded by Senators Welker and Jenner, although the government must have know all along what statements appeared in the "China Monthly Review." It is difficult to believe there is any constitutional justification for prosecution which raises such serious problems in the areas of fair trial and of freedom of the press.

Editor's Note: If the Powells are convicted under the prosecution and act here analyzed and criticized by the ACLU in their area, they will face most severe penalties; and other government critics will be further endangered. Rev. Dr. Dryden Phelps writes "They are in desperate need of funds to carry on their case."

### BEHIND THE HEADLINES

Behind the headlines these days is plenty of evidence that the change in public opinion and in a few court decisions concerning repression of the guarantees of the Bill of Rights has had no more effect on Congressional Committees and the Department of Justice than the Geneva Spirit had on the State Department.

About three years ago, in response to criticism from columnists, commentators, editors and religious leaders, the Justice Department made the nation believe it was discontinuing some of the most notorious of its paid, perjurious, informer witnesses. All that it did was to stop giving them annual contracts. They are still being used on a per diem basis in labor and immigration cases. This leads to their use by state committees and prosecutors. While this was being written a federal judge revoked the citizenship of a veteran labor organizer on the testimony of two of these paid informers and an admitted professional labor syp. One of these informers, proved to have sworn falsely about his own birthplace and entry into this country, as well as about his victim, told the most fantastic lies about ministers and religion in the '53 closed Un-American hearings on that subject.

Two others who also swore falsely on that occasion-one has since admitted perjury, saying he would do it a thousand times if necessary to protect the FBI; the other has had his testimony thrown out as unreliable—have been recently in the news. The first was one of three whose "tainted testimony" caused the Supreme Court to order a re-hearing of the Communist Party case by the Subversive Activities Control Board. Both of these false witnesses turned up in a hearing of the Louisiana Legislative Committee on Segregation to testify about Communist infiltration in Negro churches. One of them called Rev. Martin Luther King, leader of the non-violent resistance to bus segregation in Montgomery, Ala.; "a dastardly mis-leader, leading the Negroes of the South down to destruction and bloodshed.'

The defense brief filed in the Supreme Court against the decision in the re-hearing of the Communist Party case affirms that, beside the three whose "tainted testimony" caused the first reversal, "there are convincing indications nine of the Attorney General's witnesses were perjurers." Each month usually sees one or more of Edgar Hoover's political spies turning up in courts, his whole career carrying a premium on perjury. Plainly the test of our democracy is whether there is enough conscience left in this nation to stop this production of false witnesses for political purposes, and that means whether there is enough ethical religion left to produce the conscience.

This twofold test is increased by the growing attempt of the Un-American and Eastland committees to coerce witnesses into becoming informers by demanding the names of others known to them when they were in the Communist Party or alleged Communist Fronts. The number of contempt citations is snowballing, including those which involve the attempt to force violation of conscience. This situation cries to heaven for action by

all religious groups.

As it was in our case against the Eastland Committee, the Department of Justice continues in partnership with both the Eastland and Un-American Committees in seeking extension of their powers. Both have recently been calling newspaper editors and writers in for hearings on communist infiltration of the press. In the Un-American hearings the content of their work as well as their personal policies, was evidently in question. Out of the Eastland hearings came four contempt cases. Two have been heard and sentence passed. In both the main defense was freedom of press according to the First Amendment.

In one the government argued the Committee had the right to go out on the street and call in anybody and ask him if he was a communist. In the other the government attorney rejected the principle that legislative enquiry must be related to a legislative purpose. He contended that Congressional Committees had an inherent right to inform the public on matters of interest because legislation is often the product of public of interest, because legislation is often the product of public cpinion and demands. This repeats the confused logic of the majority decision against us. It also confirms the warning of the dissenting opinion that Congress is assuming dictatorial

For the extension of that trend a strong vested interest has been built up during the twenty years of the Un-American Committee's existence. There is the staff interest in a career, always looking for new activities; for members and attorneys the is the pulling prospect of political preferment; for profession witch hunters, personal and organizational, there is the inco to be derived from use of the material turned out. This situat cannot be met by reforms. Witness the results of the effort Congress three years ago to get a code of rules for committee

The Un-American and Eastland Committees are unconstitional in nature and purpose as well as activities. The ACI says so. So does the committee to Preserve Democratic Freedo in Southern California, A. A. Heist our former field secret being chairman. So do we. We and they also say these Committee have to be put out of business completely. Then let us in t our fiftieth year start a campaign to get the Methodist Chur through its official Commission, Bishops' Council and Ann Conference, to tell the next Congress as soon as it meets t we want these two committees discontinued and no appropriation made for them. If enough will help provide the necessary s ary and expenses for an executive secretary this can be do

### **OUR READERS WRITE**

Dear Jack:

Have just read the February SQB. It impresses me as one the best issues in a long time. Your analysis of the Mid-Ea together with HFW's column, makes an almost perfect covera of that situation. And it was interesting to see you once ag quoting, not only the New York Times, and the Wall Str

Journal, and Jesus, but Alice in Wonderland!

This surely is an Alice-in-Wonderland world we are living It seems to me the civil liberties situation grows daily wor with more and more citations for contempt, Congressional Co mittees going further and further afield from their original ma dates-broad enough to start with-and with less being done fight-back. Religious Freedom Committee is existing on money, but we have made a few decisions lately to try to stir some new enthusiasm here and across the country, to get so people re-excited about taking action to stop these continui activities of the UnAms and Eastlands. . . . Eastland's latest tira about expatriation, deportation and that sort of thing, toget with the Un-Americans' continuing practice of road-shows which they are now repeating themselves even so far as t witnesses they call, on top of the listing upon listing, is frightening picture, and had such action been taken before t nation had accustomed itself to it all, there would have be storms of protest.

JANICE M. ROBERTS, New York City.

P.S.: Did you see the account of that Louisiana committee du ing off Manning Johnson, Leonard Patterson and Martha Edm ton to smear Dr. Martin Luther King? I'm sending King our de on Johnson, his admission of perjury, our documentation of

This word of our old friend, William B. Waltmire, Asbu Methodist Church, Bettendorf, Iowa, is submitted by Harry Jure

Canoga Park, California:

"Bailey and two of our laymen gave a TV program on twork of our Church. Labor's Daily had a full page write-up each denomination, and Bailey gave the material for The Metodist Church. The Methodist Ministers Service Credit Union which we helped organize last year, is coming along fine a now the Iowa Des Moines Conference has joined us.

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